

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| SAMANTHA SIVA KUMARAN, et al., | : | |
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| Plaintiffs, | : | 1:20-cv-3873-GHW |
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| -v - | : | <u>ORDER</u> |
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| ADM INVESTOR SERVICES, INC., | : | |
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| Defendant. | : | |
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| GREGORY H. WOODS, United States District Judge: | | |

On June 7, 2021, Magistrate Judge Aaron entered an order granting Defendant's motion to compel arbitration in part and denying it in part, and denying NAM and NHC's motion to intervene. Dkt. No. 63. NRCM filed a motion challenging Judge Aaron's order as to the motion to compel arbitration, Dkt. No. 71, and NAM and NHC filed a motion challenge the order as to the motion to intervene, Dkt. No. 72. Ms. Kumaran joined NRCM's motion "to the extent it relates to her IP and the ownership thereof." Dkt. No. 71. At the conference held on February 18, 2022, Kumaran confirmed that the scope of her engagement in NRCM's motion was limited to her IP rights. Transcript of February 18, 2022 Conference ("Feb. 18 Tr."), Dkt. No. 97, at 14. Notably, Judge Aaron's order did not resolve any issues concerning Ms. Kumaran's IP rights.

On February 18, 2022, the Court issued an order overruling Plaintiffs' objections to Judge Aaron's June 7, 2021 order. Dkt. No. 90. On April 7, 2022, Kumaran filed a motion for reconsideration and clarification of the Court's February 18, 2022 order. Dkt. No. 108. Motions for reconsideration are governed by Local Rule 6.3, which provides that the moving party shall set forth "the matters or controlling decisions which counsel believes the Court has overlooked." "Motions for reconsideration are . . . committed to the sound discretion of the district court." *Immigrant Def. Project v. U.S. Immigr. and Customs Enft*, No. 14-cv-6117, 2017 WL 2126839, at *1 (S.D.N.Y. May 16,

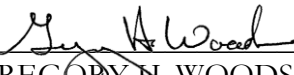
2017) (quoting *Wilder v. News Corp.*, No. 11 Civ. 4947, 2016 WL 5231819, at *3 (S.D.N.Y. Sept. 21, 2016)). “Reconsideration of a previous order by the Court is an extraordinary remedy to be employed sparingly.” *Ortega v. Mutt*, No. 14-cv-9703, 2017 WL 1968296, at *1 (S.D.N.Y. May 11, 2017) (quoting *Amwar v. Fairfield Greenwich Ltd.*, 800 F. Supp. 2d 571, 572 (S.D.N.Y. 2011)). As such, reconsideration should be granted only when the moving party “identifies an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Robinson v. Disney Online*, 152 F. Supp. 3d 176, 185 (S.D.N.Y. 2015) (quoting *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Trust*, 729 F.3d 99, 104 (2d Cir. 2013)) (internal quotation marks omitted).

Ms. Kumaran’s motion raises a litany of arguments that are not properly before the Court. None of her arguments are within the scope of her limited engagement in the motions at issue. Instead, Ms. Kumaran primarily attempts to bring arguments on behalf of NRCM. As the Court has repeatedly reminded her, Ms. Kumaran does not represent NRCM and cannot bring a motion on its behalf. NRCM is a separate plaintiff in this case, is represented by counsel, and was recently granted its own extension of time to file a motion for reconsideration of the February 18, 2022 order. *See* Dkt. No. 107. Further, to the extent that Ms. Kumaran is objecting to other orders entered by Judge Aaron, those objections are untimely, as the Court expressly held during the conference on February 18, 2022. Feb. 18 Tr. at 50. For these reasons, Ms. Kumaran’s motion is denied.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 108.

SO ORDERED.

Dated: April 10, 2022
New York, New York



GREGORY M. WOODS
United States District Judge